UNITED
NATIONS

EP

Governing Council
of the United Nations
Environment Programme

Distr.
GENERAL

UNEP/GC.20/41
7 January 1999

ORIGINAL: ENGLISH

Twentieth session
Nairobi, 1-5 February 1999
Item 9 of the provisional agenda*

PROGRAMME, THE ENVIRONMENT FUND AND ADMINISTRATIVE AND OTHER BUDGETARY MATTERS

International action to protect health and the environment through measures which will reduce and/or eliminate emissions and discharges of persistent organic pollutants, including the development of an international legally binding instrument

Report of the Executive Director

Summary

This report presents a summary of the progress made in the implementation of Governing Council decision 19/13 C since the nineteenth session of the Governing Council.

Suggested action by the Governing Council

The Governing Council may wish to:

1. Welcome the progress in the preparation of an international legally binding instrument for implementing international action on certain organic pollutants as well as the implementation of the immediate actions called for in paragraph 13 of its decision 19/13 C of 7 February 1997;

2. Invite the Intergovernmental Negotiating Committee for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants to continue its work with a view to the conclusion of a legally binding instrument by the year 2000;

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* UNEP/GC.20/1.

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3. Request the Executive Director to continue taking the actions as requested by the Governing Council in its decision 19/13 C, including the immediate actions identified in paragraph 13 of that decision;

4. Call upon Governments as well as intergovernmental and non-governmental organizations to provide financial contributions for further negotiations of an international legally binding instrument for implementing international action on certain persistent organic pollutants, particularly through the "POPs Club";

5. Encourage Governments and intergovernmental and non-governmental organizations to provide financial and in-kind contributions for supporting the implementation of the immediate actions as called for in paragraph 13 of its decision 19/13 C;

6. Request the Executive Director to report to the Governing Council at its twenty-first session on the implementation of the present decision.

I. INTRODUCTION

1. The Governing Council of the United Nations Environment Programme (UNEP), in its decision 19/13 C, recalling its decision 18/32 of 25 May 1995 on persistent organic pollutants (POPs), and endorsing the conclusions and recommendations contained in the final report of the Ad Hoc working Group on Persistent Organic Pollutants of the Intergovernmental Forum on Chemical Safety, concluded that international action, including a global legally binding instrument, is required to reduce the risks to human health and the environment arising from the release of twelve POPs specified in its decision 18.32. 1/

2. In the same decision, the Council, further decided that immediate international action should be initiated to protect human health and the environment through measures which will reduce and/or eliminate the emissions and discharges of the twelve specified POPs and, where appropriate, eliminate the production and subsequently the remaining use of those POPs that are intentionally produced. It also noted the need to develop science-based criteria and a procedure for identifying additional POPs as candidates for future international action.

II. NEGOTIATIONS

3. In paragraph 8 of its decision 19/13 C, the Governing Council, requested the Executive Director to prepare and convene, together with the World Health Organization and other relevant international organizations, an intergovernmental negotiating Committee, with a mandate to prepare an international legally binding instrument for implementing international action on POPs, initially beginning with twelve specified POPs and to take into account the conclusions and recommendations of the Ad Hoc Working Group on Persistent Organic Pollutants of the Intergovernmental Forum on Chemical Safety.

4. The first session of the Intergovernmental Negotiating Committee was convened in Montreal, Canada from 29 June to 3 July 1998, and attended by representatives from 94 Governments, 18 intergovernmental organizations and 50 non-governmental organizations. It made significant progress and established two subsidiary bodies: one to consider technical and financial assistance and modalities to assist countries implement the provisions of an international legally binding instrument; and second, a Criteria Expert Group to develop criteria and a procedure for identifying further POPs as candidates for future international action. The first body dealing with implementation aspects, begins its work at the second session of the Intergovernmental Negotiating Committee, while the Criteria Expert Group meets inter-sessionally.

5. The Criteria Expert Group, which was also called for in paragraph 9 of decision 19/13 C, had a very successful first session in Bangkok, from 26 to 30 October 1998, and made substantial progress in its work.

1/ Aldrin, chlordane, DDT, dieldrin, endrin, heptachlor, hexachlorobenzene, mirex, toxaphene, polychlorinated biphenyls (PCBs) dioxins and furans.

6. The Intergovernmental Negotiating Committee is holding its second session from 25 to 29 January 1999, at UNEP headquarters in Nairobi. Further sessions of the Committee are tentatively planned for September 1999, April 2000 and November 2000, with the Diplomatic Conference in May 2001. The Criteria Expert Group is tentatively scheduled to meet in April and November 1999.

III. IMMEDIATE ACTIONS AND POPS FOCAL POINTS

7. As requested in paragraph 13 of Governing Council decision 19/13 C, UNEP has undertaken the immediate actions outlined in paragraphs 8 - 18 below.

8. To promote development and sharing of information on the twelve specified POPs, UNEP has established a network of government-designated focal points for exchanging technical information and obtaining expertise for the development of various products. By the end of 1998, 88 Governments had designated 168 such focal points.

9. In 1997 and 1998, UNEP, together with the Intergovernmental Forum on Chemical Safety, convened eight regional POPs awareness-raising workshops for developing countries and countries with economies in transition. The proceedings of these workshops have been made available in English and the other official languages of the United Nations relevant for the specific regions involved.

10. Cooperative arrangements between the Food and Agriculture Organization of the United Nations, the United Nations Industrial Development Organization and the Secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal have been established for identifying and managing obsolete stocks of pesticides and other hazardous chemicals in different region.

11. A compendium of regulatory actions and guidelines concerning POPs has been issued.

12. The POPs Information Clearing-house has been substantially improved and now provides a wealth of useful information products from UNEP and other sources of greatest interest to all players involved in POPs issue.

13. To establish practical measures to evaluate and monitor the success of implemented strategies, a project is under way to characterize world-wide exposures to POPs. The results of the first phase, which focussed on the collection of data on release and exposure levels, are available in hard copy and in an electronic clickable map format. The second phase will focus on filling data gaps through monitoring and modelling.

14. To improve the availability of information and expertise on alternatives to POPs, UNEP has created and now maintains a reference database in the general form of an expert system to help in identifying chemical and non-chemical alternatives to POPs. In addition, UNEP has a collection of action plans and studies for replacing/reducing release of POPs available.

15. UNEP, jointly with FAO and WHO, has produced a draft guide on the selection of replacements for POPs pesticides, which when issued in early 1999, will help authorities and other stakeholders develop effective strategies for replacing POPs.

16. To assist countries identifying the location of polychlorinated biphenyls (PCBs) and in developing PCB inventories, UNEP has collected information from POPs focal points to create compendium of available national guidance on the identification of PCBs in use, PCB stockpiles and PCB-containing waste. The compendium will be available in early 1999. An inventory of available world-wide destruction capacity for PCBs has been developed. UNEP has developed simple guidelines on how to identify PCB-containing materials for release in early 1999.

17. UNEP has also developed a collection of available information on sources of dioxins and furans to assist countries identifying national sources of these by-products. To undertake cooperative programmes on aspects of dioxin/furan management, particularly on a regional basis, UNEP has initiated work with a case-study in the Russian Federation.

18. Depending on availability of resources, UNEP intends to work with other international organizations to: develop and implement training and capacity building programmes to assist countries identify and manage PCBs; identify and reduce releases of dioxins and furans; and eliminate the unsustainable use of POPs pesticides and move toward safer and more integrated approaches in the management of pests and disease vectors within the agricultural, public-health and other sectors.

IV. FINANCIAL MATTERS

19. By paragraph 17 of decision 19/13 C the Governing Council called upon "Governments and other actors that are in a position to do so to provide the United Nations Environment Programme with the necessary financial and technical resources to enable the full and effective functioning of the intergovernmental negotiating committee, in particular the full and effective participation of developing countries, especially least developed countries, and of countries with economies in transition which may be interested".

20. Since the nineteenth session of the Governing Council, UNEP has received direct financial contributions and pledges for both negotiations and immediate actions totalling approximately $3,100,000, from Australia, Canada, the European Commission, Finland, Iceland, the Netherlands, Norway, Switzerland, the United Kingdom and the United States of America. In addition, personnel have been or will shortly be seconded from Japan, the Netherlands, Sweden, and the United States of America to assist in implementing Governing Council decision 19/13 C. Further in-kind support has been received from a number of Governments, intergovernmental organizations and non-governmental organizations for awareness-raising workshop and other immediate actions.

21. A shortfall of approximately $3 million exists for the negotiations to be held between 1999 and 2001, which are currently estimated to cost between $3 million and $3.5 million.

22. Recently, UNEP created a "POPs Club", following suggestions made during informal discussions at the first session of the Intergovernmental Negotiating Committee, to establish a mechanisms for pooling contributions for financing future negotiating sessions. Membership in the "POPs Club" is open to Governments, intergovernmental organizations and non-governmental organizations that contributed to the trust fund for the global negotiations on POPs. Donors will receive recognition for their contributions through yearly certificates. Those providing substantial amounts will receive silver and gold pins in special recognition of their contribution.